

EX PARTE OR LATE FILED

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Via Hand DeliveryFEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-B204
Washington, DC 20554

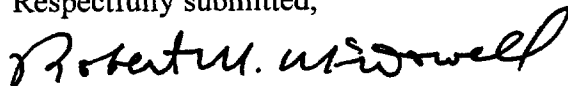
ORIGINALRe: Ex Parte Presentation in CC Docket No. 98-170

Dear Ms. Salas:

Pursuant to Section 1.1206 of the Commission's Rules, the Competitive Telecommunications Association ("CompTel"), hereby gives notice that on April 5, 1999, Robert McDowell, Vice President and Assistant General Counsel, met with Kyle Dixon of Commissioner Powell's office, to discuss matters outlined in the attached talking points relevant to the above-referenced docket.

Please stamp the enclosed copy of this ex parte notification and return it to the courier.
Please direct all inquiries to the undersigned.

Respectfully submitted,



Robert M. McDowell
Vice President and Assistant General Counsel

enclosure

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CompTel/ACTA

Proposals Regarding Truth-in-Billing

The FCC Should Issue Guidelines, Not Detailed Rules

- ▶ New rules, rather than guidelines, will impose compliance costs on industry.
- ▶ Bills that are micro-managed by government are likely to produce lengthy documents that actually frustrate policy by being too complex.
- ▶ Slamming, cramming and a lack of useful customer service information tend not to be problems for direct billers.

Any Rules Should Apply Only To ILECs

- ▶ Direct billing is competitive and, therefore, is self-regulating.
- ▶ ILEC billing, however, is dominated by the monopoly ILECs.
- ▶ The primary focus of consumer complaints has been matters involving ILEC generated bills. Direct billers must provide easily understandable bills or risk losing their subscriber base to competitors. Such competitive pressures do not exist in the ILEC billing arena.
- ▶ Requiring ILECs to provide an account status summary periodically, together with a summary of service and provider changes, would effectively address current problems without putting undue compliance costs on industry.

CompTel/ACTA's Proposals

- ▶ FCC should require the ILECs to provide a one-page billing insert summary of the customer's status with the carrier(s).
- ▶ The billing insert (for ILECs only) should also summarize any changes to the customer's account since the last bill, including new services.
- ▶ All ILEC bills should prominently display information necessary for consumers to dispute specific charges, including the name, address, and toll-free number for each provider.
- ▶ These rules would not needlessly regulate the competitive direct billing market, would not complicate or lengthen the bill needlessly and their benefits would outweigh the modest cost of applying them.

CompTel/ACTA Is Opposed To Other Rules Proposed By The Commission

- ▶ We urge the Commission *not* to adopt rules mandating the segregation of service providers and types of services. Segregation would merely make generating bills more cumbersome, reading bills more confusing and generate disputes over how particular providers should be characterized.
- ▶ CompTel strongly opposes efforts to regulate the content of bills in any detailed fashion vis-a-vis description

of charges. Not only can reasonable minds differ regarding what constitutes "accurate" portrayals of particular charges, but some subscribers may seek to avoid paying legitimate charges by "gaming" the system through disputes over bill accuracy. Furthermore, carriers enjoy First Amendment protection of their commercial speech.

- ▶ CompTel/ACTA also strongly opposes the suggestion that deniable and non-deniable charges must be distinguished. Such a requirement would only embolden subscribers who wish to withhold payment. Rather than placing such notification on the bill, the Commission could work directly with the billing carriers to make sure that customers who initiate inquiries are made aware of whether charges are deniable or non-deniable.
- ▶ CompTel/ACTA opposes attempts to require specific language for access and USF line items. Seasoned experts frequently disagree over how to describe such charges. Consumers will only end up horribly confused.
- ▶ **The Commission Should Act On ACTA's and MCI's Petitions To Require ILECs To Provide Billing Services In A Non-Discriminatory Fashion And At Reasonable Rates**

(See DA 97-825 and RM-9108)